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FILED

FEB 24 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DIANNE LEVINGSTON,

Plaintiff,

v.

DEBORAH K. JOHNSON, et al.,

Defendants.

No. C 13-04570 HRL (PR)

ORDER OF TRANSFER

Plaintiff, a state prisoner proceeding pro se, filed a complaint pursuant to 42 U.S.C. § 1983 against medical officials at the Central California Women Facility in Chowchilla, California. Plaintiff claims that Defendants provided inadequate medical care with respect to the diagnosis of cancer which began in January 31, 2011. Because the acts complained of occurred in Madera County, which lies within the venue of the Eastern District of California, venue properly lies in that district and not in this one. See 28 U.S.C. § 1391(b). Accordingly, this case is TRANSFERRED to the United States District Court for the Eastern District of California. See 28 U.S. C. § 1406(a).

The Clerk shall terminate all pending motions and transfer the entire file to the Eastern District of California.

IT IS SO ORDERED.

DATED: 2/21/14


HOWARD R. LLOYD
United States Magistrate Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

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SAN JOSE

DIANNE LEVINGSTON,

Plaintiff,

v.

DEBORAH K. JOHNSON, et al.,

Defendants.

Case Number: CV13-04570 HRL

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 2/24/2014, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Dianne Levingston X34427
Central California Women Facility
P.O. Box 1508
Chowchilla, CA 93610

Dated: 2/24/2014

R. Wiekling
Richard W. Wiekling, Clerk